

Juanita R. Brooks (CA Bar No. 75934) (brooks@fr.com)
 Lara S. Garner (CA Bar No. 234701) (lgarner@fr.com)
 FISH & RICHARDSON P.C.
 12390 El Camino Real
 San Diego, CA 92130
 Telephone: (858) 678-5070 / Fax: (858) 678-5099

Craig E. Countryman (CA Bar No. 244601) (countryman@fr.com)
 FISH & RICHARDSON P.C.
 555 W. 5th Street, 31st Floor
 Los Angeles, California 90013
 Telephone: (213) 533-4240 / Fax: (213) 996-8304

Jonathan E. Singer (CA Bar No. 187908) (singer@fr.com)
 Michael J. Kane (pro hac vice) (kane@fr.com)
 FISH & RICHARDSON P.C.
 60 South Sixth Street, Suite 3200
 Minneapolis, MN 55402
 Telephone: (612) 335-5070 / Fax: (612) 288-9696

Susan M. Coletti (pro hac vice) (coletti@fr.com)
 Elizabeth M. Flanagan (pro hac vice) (eflanagan@fr.com)
 FISH & RICHARDSON P.C.
 222 Delaware Avenue, 17th Floor
 Wilmington, DE 19899
 Telephone: (302) 652-5070 / Fax: (302) 652-0607

Attorneys for Plaintiffs
 ALLERGAN USA, INC. and
 ALLERGAN INDUSTRIE, SAS

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

ALLERGAN USA, INC. and
 ALLERGAN INDUSTRIE, SAS,

Plaintiffs,

v.

MEDICIS AESTHETICS, INC.,
 MEDICIS PHARMACEUTICAL CORP.,
 VALEANT PHARMACEUTICALS
 NORTH AMERICA LLC,
 VALEANT PHARMACEUTICALS
 INTERNATIONAL, VALEANT
 PHARMACEUTICALS
 INTERNATIONAL, INC., AND
 GALDERMA LABORATORIES, L.P.

Defendants.

Case No. SACV13-01436 AG (JPRx)

**DECLARATION OF CRAIG E.
 COUNTRYMAN IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 PARTIAL SUMMARY JUDGMENT**

Judge: Hon. Andrew J. Guilford
 Hearing: May 18, 2015 at 10:00 a.m.
 Ctrm: 10D

Discovery cutoff date: May 15, 2015
 Pretrial conference date: July 20, 2015

Trial date: August 4, 2015

1 I, Craig E. Countryman, hereby declare and state as follows:

2 1. I am an attorney at Fish & Richardson P.C., and have been admitted in
3 the above-captioned litigation as counsel for Plaintiffs Allergan USA, Inc., and
4 Allergan Industrie, SAS (“Allergan”).

5 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from
6 the Expert Report of Mary Lupo, M.D., dated February 9, 2015.

7 3. Attached hereto as Exhibit 2 is a true and correct copy of the Premarket
8 Approval for Juvederm Ultra XC and Juvederm Ultra Plus XC, available at
9 <http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpma/pma.cfm?id=29387>.

10 4. Attached hereto as Exhibit 3 is a true and correct copy of the Premarket
11 Approval for Restylane L and Perlane L Injectable Gels, available at
12 <http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpma/pma.cfm?id=27754>.

13 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from
14 the Expert Report of Glenn D. Prestwich, Ph.D. (and some of the exhibits to that
15 report), dated February 17, 2015.

16 6. Attached hereto as Exhibit 5 is a true and correct copy of Beasley, et
17 al., *Hyaluronic Acid Fillers: A Comprehensive Review*, Facial Plastic Surg 2009;
18 25(2):86-94, bearing production numbers of VAL0059968-59976.

19 7. Attached hereto as Exhibit 6 is a true and correct copy of Defendants’
20 Final Invalidity Contentions, served February 17, 2015.

21 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from
22 Defendants’ ’475 Patent Obviousness Claim Chart from their Final Invalidity
23 Contentions, served February 17, 2015.

24 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from
25 the Rebuttal Report of Mark S. Nestor, M.D., Ph.D., dated March 23, 2015.

26 10. Attached hereto as Exhibit 9 is a true and correct copy of *Lidocaine*
27 *combined with dermal beauty fillers reduces injection discomfort*, available at
28

1 <http://www.news-medical.net/news/20090831/Lidocaine-combined-with-dermal->
2 [beauty-fillers-reduces-injection-discomfort.aspx.](http://www.news-medical.net/news/20090831/Lidocaine-combined-with-dermal-)

3 I declare under penalty of perjury under the laws of the United States that the
4 foregoing is true and correct.

5 Executed on March 25, 2015 at San Diego, California.

6
7 FISH & RICHARDSON P.C.

8
9 By: /s/ Craig E. Countryman
10 Craig E. Countryman

11
12 Attorneys for Plaintiffs
13 ALLERGAN USA, INC. AND
14 ALLERGAN INDUSTRIE, SAS
15
16
17
18
19
20
21
22
23
24
25
26
27

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on March 25, 2015 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

/s/ Craig E. Countryman

Craig E. Countryman

countryman@fr.com